

Message Text

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PAGE 01 CANBER 01393 240503Z
ACTION EA-12

INFO OCT-01 EB-08 ISO-00 L-03 /024 W
-----011407 241221Z /10
R 240442Z FEB 78
FM AMEMBASSY CANBERRA
TO SECSTATE WASHDC 2518

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E.O. 11652: N/A
TAGS: EMIN, EINV, AS
SUBJ: DILLINGHAM CLAIM

REF: STATE 44802

1. PER REFTEL, AMBASSADOR ALSTON, ACCOMPANIED BY RESOURCES ATTACHE, CALLED ON DEPTUY PRIME MINISTER DOUG ANTHONY, AND IN A MEETING WHICH LASTED LESS THAN TEN MINUTES EXPRESSED THE VIEW THAT USG HOPED MEETING BETWEEN GOA AND DILLINGHAM WOULD LEAD TO A SATISFACTORY SETTLEMENT AND THAT SUCH A SETTLEMENT COULD BE EXPEDITED. THE AMBASSADOR REEMPHASIEZED THAT USG DID NOT QUESTION RIGHT OF GOA TO TAKE A PROPERTY, BUT IN THE TAKING JUST COMPENSATION SHOULD BE A CONSIDERATION. THE AMBASSADOR ALSO NOTED THAT SOME ACTUAL AND POTENTIAL U.S. INVESTORS IN AUSTRALIA WERE AWARE OF THE DILLINGHAM SITUATION.

2. ANTHONY SAID HE, TOO, WAS INTERESTED IN RESOLVING THE DILLINGHAM CLAIN. HOWEVER ANTHONY GAVE NO INDICATION THAT GOA WAS IN ANY WAY PREPARED TO RENEGOTIATE COMPENSATION. ANTHONY FEELS THAT DOLS A 4 MILLION SHOULD BE ADEQUATE FOR DILLINGHAM BECAUSE THEY HAD NO EXPORT CONTRACTS AT TIME OF THE CANCELLATION OF THE EXPORT PERMIT. ANTHONY COMPARED THE DILLINGHAM SITUATION WITH QUEENSLAND TITANIUM. WE CONSIDER THE ANALOGY TO BE WITHOUT MERIT. IT IS AN EFFORT TO ADD ORANGES AND APPLES BUT THIS WAS NOT DEBATED. ANTHONY
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PAGE 02 CANBER 01393 240503Z

DID NOT RESPOND TO SUGGESTION BY THE AMBASSADOR THAT THIS MIGHT BE SITUATION FOR DETERMINATION BY THIRD PARTY.

3. ANTHONY SAID DILLINGHAM RECOGNIZED ITS POSITION OTHERWISE IT WOULD HAV FILED A LEGAL CLAIM AGAINST THE GOVERNMENT AS THEY ARE ENTITLED TO UNDER COMMONWEALTH LAW. ANTHONY VIEWS DILLINGHAM'S FAILURE TO GO TO LITIGATION AS A "SIGN OF

WEAKNESS."

4. ANTHONY CONCLUDED BY SAYING THAT HE WOULD INFORM THE PRIME MINISTER OF THE AMBASSADOR'S VISIT AND OF THE INTEREST OF USG.

5. ON FEBRUARY 22, ED CARTER, DILLINGHAM VICE-PRESIDENT, AND DERRY HILL, MANAGING DIRECTOR, DILLINGHAM AUSTRALIA, CALLED ON AMBASSADOR AND INFORMED HIM OF THE FEBRUARY 28 MEETING WITH ANTHONY. EMBASSY WILL BE INFORMED BY HILL OF THE OUTCOME OF THE MEETING. AT THIS MEETING AMBASSADOR SUGGESTED DILLINGHAM WOULD BE WELL ADVISED TO HAVE COUNSEL AT THAT MEETING AND IT IS BELIEVED DILLINGHAM WILL DO JUST THAT.
ALSTON

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NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 jan 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: CLAIMS, EXPORT LICENSES
Control Number: n/a
Copy: SINGLE
Draft Date: 24 feb 1978
Decaption Date: 01 jan 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 20 Mar 2014
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
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Document Source: CORE
Document Unique ID: 00
Drafter: n/a
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Executive Order: N/A
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Format: TEL
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ISecure: 1
Legacy Key: link1978/newtext/t19780218/aaaaaozc.tel
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Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
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Original Classification: LIMITED OFFICIAL USE
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Review Exemptions: n/a
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Review Release Date: n/a
Review Release Event: n/a
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Review Withdrawn Fields: n/a
SAS ID: 3491998
Secure: OPEN
Status: NATIVE
Subject: DILLINGHAM CLAIM
TAGS: EMIN, EINV, AS
To: STATE
Type: TE
vdkgvwkey: odb://SAS/SAS.dbo.SAS_Docs/0ed938d0-c288-dd11-92da-001cc4696bcc
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